

**Office of the Clerk
United State Bankruptcy Court
Eastern District of California**

Notice Of Electronic Availability of Bankruptcy Case File Information

May 1, 2002

With limited exceptions, the papers filed in a bankruptcy case and the documents of the bankruptcy court are public records. Consequently, bankruptcy case files and dockets may be viewed and copied at the Clerk's Office by any person, unless otherwise ordered by the Court.

Since March 1, 1999, all documents filed in pending Eastern District of California bankruptcy cases and proceedings (except Proofs of Claim filed in cases pending prior to March 1, 1999 and documents sealed or otherwise restricted by Court order) have been scanned into imaged form and are available on the Internet through the Court's Public Access to Court Electronic Records (or e-CalWebPACER) information system. Any e-CalWebPACER subscriber¹ may read, download, store, and print the full content of imaged documents. Information obtained from printed and electronic case files is capable of being used for any purpose, including reasons unrelated to bankruptcy cases.

Because information in documents filed with the court will be made available over the Internet via e-CalWebPACER, you should not include certain types of sensitive information in any document filed with the Court unless such inclusion is required by statute, rule or form, or is necessary and relevant to the case. In order to promote electronic access to case files while also protecting personal privacy and other legitimate interests, parties should refrain from including, or **should modify or partially redact** where inclusion is required or necessary, the following personal and identifying information, from documents, whether filed traditionally or electronically:

- a. **Financial account numbers.** If financial account numbers must be included in a document, only the last four digits should be used.
- b. **Dates of birth.** If an individual's date of birth must be included in a document, only the year should be used.
- c. **Names of minor children.** If the involvement of a minor child must be mentioned, only the initials of that child should be used.

Parties should also refrain from including social security numbers in documents filed with the Court when inclusion is not required by statute, rule or form, or necessary and relevant to the case. Federal Rule of Bankruptcy Procedure 1005 requires inclusion of the debtor's social security number and employer's tax identification number in the title of the case (caption). Likewise, various Official Bankruptcy Forms, including Official Bankruptcy Forms 1, 5, 7, 9, 10, and 16A, require disclosure of social security numbers and employer's tax identification numbers. Parties should continue to include, and **should not** modify or partially redact, the debtor's complete social security number and employer's tax identification number in the case title (caption) and Official Bankruptcy Forms until after the rules and forms are amended.

Additionally, parties should exercise caution when filing documents that contain the following:

- a. Personal identifying number, such as driver's license number;
- b. Medical records, treatments and diagnosis;
- c. Employment history;
- d. Individual financial information; and
- e. Proprietary or trade secret information.

As provided in 11 U.S.C. §107(b) and Federal Rule of Bankruptcy Procedure 9018, the Court will consider any motion for protective order or motion to seal documents on its individual merits.

Counsel is strongly urged to share this notice with all clients so that an informed decision about the inclusion, redaction and/or exclusion of certain information can be made. It is the **sole responsibility of counsel and the parties** to ensure that redaction of personal identifiers is done. The Clerk's Office **will not** review documents for redaction. Counsel and the parties are cautioned that failure to redact personal identifiers and/or the inclusion of irrelevant personal information in a document or exhibit may subject them to the full disciplinary and remedial power of the Court.

¹ A court issued login and password are required to access the e-CalWebPACER system.